

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEAN P. HARRINGTON,

Plaintiff,

v.

CITY OF DETROIT, *et al.*,

Defendants.

Case No. 10-CV-11946

Hon. John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

On May 13, 2010, Plaintiff Sean Harrington filed a four-count complaint alleging four causes of action: Count I, violation of the Fourth Amendment, unlawful detention; Count II, violation of the Fourth Amendment, excessive force; Count III, violation of the Fourth Amendment, malicious prosecution; and Count IV, defamation. Although Plaintiff's Fourth Amendment claims are cognizable in this court pursuant to 28 U.S.C. §1331, the remaining allegations present a claim based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claim. See 28 U.S.C. §1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, **IT IS HEREBY ORDERED** that Count IV of Plaintiff's complaint is **DISMISSED**.

Date: June 10, 2010

s/John Corbett O'Meara
United States District Judge

I hereby certify that a copy of the above order was served upon counsel of record on this date, June 10, 2010, using the court's ECF system.

s/William Barkholz
Case Manager